

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**MARIELA SAYRITUPA, Individually,)
and as NEXT FRIEND OF W.R. AND)
A.R. MINORS; WILLIAM REYES,)
SR., Individually, and as NEXT)
FRIEND OF M.R. AND D.R.)
MINORS, and MARGARITA)
MENDOZA,)**

Plaintiffs,

v.

**LINDA BALINTFY and 1MTX, LLC,)
)
Defendants.)**

No. 3:20-cv-00759

ORDER

Magistrate Judge Frensley has issued a Report and Recommendation (Doc. No. 31), recommending that this action be dismissed without prejudice under Fed. R. Civ. P. 41(a) and L.R. 41.01(a) for failure to prosecute. As a consequence, he also recommends that Defendants' Motion to Dismiss for Failure to Comply With Court Orders (Doc. No. 29) be denied as moot. No objections have been filed.


Having considered the matter *de novo* in accordance with Rule 73 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition. Accordingly, the Court rules as follows:

- (1) The Report and Recommendation (Doc. No. 31) is **ACCEPTED AND APPROVED**;
- (2) Defendants' Motion to Dismiss for Failure to Comply With Court Orders (Doc. No. 29) is **DENIED AS MOOT**;

(3) This case is hereby **DISMISSED WITHOUT PREJUDICE**; and

(4) The Clerk of the Court shall enter a final judgment and close this case.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE